

042004
13281 U.S. PTO

Patent
Attorney's Docket No. 033136-414

22387 U.S. PTO
10/827329

042004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)**

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. **21839**

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/662,706 filed on September 15, 2000, for APPARATUS AND PROCESS FOR CONDITIONING MAMMALIAN BLOOD, by the following named inventor(s):

- | | | |
|-----|-----------|------------------|
| (a) | Full Name | Sonya MONTGOMERY |
| (b) | Full Name | Jeff DAYMAN |
| (c) | Full Name | Allen MUIRHEAD |
| (d) | Full Name | Paul MOORE |
| (e) | Full Name | Taras WORONA |
| (f) | Full Name | Simon TREADWELL |
| (g) | Full Name | Murray VOAKES |
| (h) | Full Name | Thomas PORTER |
| (i) | Full Name | Carlton CHONG |
| (j) | Full Name | Liung Sen LIAO |
| (k) | Full Name | Duncan NEWMAN |

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- | | | |
|-----|-----------|-------|
| (a) | Full Name | _____ |
| (b) | Full Name | _____ |
| (c) | Full Name | _____ |

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- | | | |
|-----|-----------|-------|
| (a) | Full Name | _____ |
|-----|-----------|-------|

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(b) Full Name _____
(c) Full Name _____

[X] Applicant(s) suggests Figure 1 for inclusion on the front page of the patent application publication and/or patent.

[X] Applicant(s) requests that the published application include the following assignment information: Vasogen Ireland Limited, Shannon County, Clare, Ireland.

1. ☐ Enclosed is a copy of the prior Application No. _____ as originally filed on _____, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☒ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☒ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$770.00 (1001)
Total Claims	67	MINUS 20 =	47	× \$18.00 (1202) =	\$846.00
Independent Claims	4	MINUS 3 =	1	× \$86.00 (1201) =	\$86.00
If multiple dependent claims are presented, add \$290.00 (1203)					0.00
Total Application Fee					\$1702.00
If small entity status is claimed, subtract 50% of Total Application Fee					\$851.00
Add Assignment Recording Fee of \$ <u>\$40.00 (8021)</u> if Assignment document is enclosed					0.00
TOTAL APPLICATION FEE DUE					\$851.00

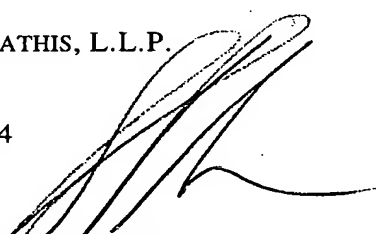
5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
7. ☒ A check in the amount of \$ 851.00 is enclosed for the fee due.
8. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

9. ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
10. ☐ New drawings are enclosed.
11. ☒ Priority of Application No. 60/154,215 filed on September 16, 1999 in the United States of America (country) is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application
- ☐ is enclosed.
- ☐ was filed on _____ in prior Application No. _____, filed on _____, and acknowledged by the Examiner on _____ in Paper No. ____.
- ☐ has not yet been filed.
12. ☒ A preliminary amendment is enclosed.
13. ☒ An Information Disclosure Statement is enclosed.
14. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
15. ☒ Also enclosed Copy of Revocation and New Power of Attorney submitted in parent application.
16. ☒ The power of attorney in the prior application is to Teresa Stanek Rea, Registration No. 30,427; R. Danny Huntington, Registration No. 27,903, and others at the firm of Burns, Doane, Swecker & Mathis, L.L.P.
- a. ☒ The power appears in the Revocation and New Power of Attorney submitted in the prior application (copy attached).
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Recognize as Associate Attorney Matthew L. Schneider, Registration No. 32,814
- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
Customer Number: **2 1 8 3 9**
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: April 20, 2004

By: _____


Teresa Stanek Rea
Registration No. 30,427

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
☐ assignee of complete interest
☒ attorney or agent of record
☐ filed under 37 C.F.R. § 1.34(a)